

#### Members

Rep. Greg Porter, Chairperson  
Rep. Terry Goodin  
Rep. Phil Pflum  
Rep. Phyllis Pond  
Rep. Jeff Thompson  
Rep. Sue Scholer  
Sen. Luke Kenley, Vice-Chairman  
Sen. Ron Alting  
Sen. Teresa Lubbers  
Sen. Frank Mrvan  
Sen. Earline Rogers  
Sen. Connie Sipes



## INTERIM STUDY COMMITTEE ON EDUCATIONAL ACHIEVEMENT ISSUES

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Authority: Legislative Council Resolution 03-01

### MEETING MINUTES<sup>1</sup>

Meeting Date: July 30, 2003  
Meeting Time: 10:00 A.M.  
Meeting Place: State House, 200 W. Washington  
St., Room 156-B  
Meeting City: Indianapolis, Indiana  
Meeting Number: 1

**Members Present:** Rep. Greg Porter, Chairperson; Rep. Terry Goodin; Rep. Phil Pflum; Rep. Phyllis Pond; Rep. Sue Scholer; Sen. Luke Kenley, Vice-Chairman; Sen. Ron Alting; Sen. Teresa Lubbers; Sen. Frank Mrvan; Sen. Connie Sipes.

**Members Absent:** Rep. Jeff Thompson; Sen. Earline Rogers.

#### Call To Order

Chairman Greg Porter called the meeting to order at 10:17 a.m. He read the charge to the committee and asked for any committee discussion based on other subjects to study outside of the charge. A few suggestions included ISTEP and ISTEP+ testing, special needs students, professional development for teachers, teacher quality, recruitment, and retention.

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

The Chairman then recognized Sen. Mrvan to speak on Senate Concurrent Resolution No. 4 which was introduced by him in the 2003 Legislative Session. The resolution resulted from a constituent issue and concerns with over crowding and safety conditions in preschools. The resolution urged the legislature to study rules and regulations regarding preschools to determine if any changes need to be made. Sen. Mrvan suggested looking at the law in Illinois on preschool regulations and prior bills introduced on the subject during the last legislative session.

Sen. Lubbers recommended studying licensed versus unlicensed facilities and how they are affected by regulation, specifically safety standards.

Chairman Porter recommended studying home day cares, preschool welfare to work programs, and how these institutions will be affected by new regulations.

Rep. Pond inquired about the Preschool through grade 16 proposal for Indiana public schools.

#### **Testimony and discussion on Senate Concurrent Resolution No. 4**

Roger Thornton, Indiana Association of School Superintendents, spoke on the composition of the Education Roundtable and suggested that issues addressed at the Roundtable's meeting of July 22, 2003 would be a good starting point in studying preschool standards.

Rep. Goodin presented the draft of the Roundtable's meeting of July 22, 2003. The plan is to have the recommendations completed by October to prepare for legislative options. A copy of the draft for Indiana's P-16 Plan for Improving Student Achievement was handed out to the committee.

(See Attachment A).

Rep. Pond requested clarification of the definitions of "child care" as opposed to "preschool" and a copy of the Illinois law. Francine Rowley, LSA Staff Attorney, read the exemptions for licensure from the IC 12-17.2-2-7. A copy of IC 12-7-2-143.5 (Attachment B) which states the definition of "preschool" was handed out to the committee members. Sen. Mrvan offered to provide copies of Illinois's law on preschool regulation to the members for the next meeting.

The committee asked LSA to provide a summary of Family and Social Services Agency (FSSA) programs and to have someone from FSSA to come to the next committee meeting to discuss the agency's role in regulating and licensing child care centers.

Terry Spradlin, Legislative Liaison, Department of Education (DOE), explained that DOE is not responsible for daycare or preschool activities except special education.

Claire Anderson, Children's Bureau, agreed that this is an important issue and explained the investigative process for abused children. She stated that she is not familiar with the area of child care regulation but FSSA would have regulations available.

Terry Spradlin passed out a copy of the P-16 Forum on Early Learning and School Readiness report to committee members. (See Attachment C)

Chairman Porter finished the discussion by stating that child care regulation issues would be addressed further at the next meeting. He also stated that the members of this committee will each receive a copy of the Annual Report Of The Board For The Coordination of Child Care Regulation for the year 2002. The board studied the laws governing the regulation of child care and made recommendations to the General Assembly.

#### **Discussion on SB 36 and SB 366**

Chairman Porter stated that SB 366 authored by Sen. Miller would be addressed at the next committee meeting. Rep. Pond said there is a crying need to address expulsion. She is concerned about the current system and how kids get to do what they want when expelled from school, such as watching television while laughing all the way.

Sen. Kenley testified there are some voluntary programs for students who are in danger of being expelled from school in counties without mandate. He would like to discuss SB 36, which addresses the issue.

The committee discussed how some schools have teamed up with judges to develop effective programs. Some students report to juvenile justice programs instead of spending their expulsion time at home. The committee welcomed the discussion of constructive alternatives and opportunities for students.

Sen. Lubbers stated that less than half of expulsions return to graduate.

Sen. Sipes commented that the duration of expulsions can vary from a semester up to a complete year depending on the level of the offense.

The committee added that looking at the drop-out rate would be helpful.

Roger Thornton testified that he would like to look at these bills (SB 366 and SB 36) in the context of the ADM count to compare the numbers of students expelled prior to the count and after the count. He would like to see the expulsion per month rate in order to prove allegations of schools waiting until after the ADM count to expel or suspend a significant number of children. He feels the allegations are totally groundless.

Rep. Pond commented on and questioned the loopholes in the suspension and expulsion procedures, specifically home schooling issues versus expulsion.

Gaylon Nettles, State Attendance Officer, DOE, was asked to address Rep. Pond's question. He further commented that on programs for students that are available in some counties. He stated that schools are not social agencies and they need the help of judges, parents and authorities. He further commented that based on state law that has been upheld by the supreme court, a Principal may remove a child immediately if the child is disrupting the operation of school. Mr. Nettles was asked about homeschooled children and how the law deals with them. Mr. Nettles said that homeschooled children are not mentioned in state law and if a parent pulls a child out of school to avoid suspension or expulsion under the guise of homeschooling, the parent may be charged with a felony for not educating the child if in fact the parent is not supplying an education to the child.

Sen. Kenley asked if the DOE follows up with cases. Mr. Gaylon stated that the local school superintendent has an absolute duty to report to the local prosecutor if the education requirement is not being met. He stated that schools can't handle the situation alone without collaboration and noted that the Commission on Mental Health will also address the issue this summer.

Chairman Porter set the next meeting for August 26, 10:00 a.m. in Room 404. He stated that the committee will finish the daycare discussion and address SB 36 and SB 366.

The meeting was adjourned at 11:23 a.m.